



July 12, 2006

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**JOYCE CROSTHWAITE**  
Executive Officer

**TO:** Local Agency Formation Commission

**FROM:** Executive Officer

**SUBJECT:** 2006 Update to Local Guidelines for Implementing CEQA

On August 10 2005, the Commission adopted *Local Guidelines for Implementing the California Environmental Quality Act* in accordance with Section 21082 of the California Environmental Quality Act (CEQA). Each year the Guidelines are updated to reflect changes enacted by the Legislature. In 2005-2006 only two bills related to CEQA were signed by the Governor. One bill (AB 1170) provided a narrow exemption from CEQA for seismic retrofit work in San Francisco and the other (SB 648) made changes in how the public review is calculated. All other CEQA related bills failed to pass.

Due to its length, the updated 2006 CEQA Guidelines have not been attached to this staff report but they are available on the Orange County LAFCO website and can be sent to Commissioners as requested. A memorandum prepared by LAFCO counsel, Best Best & Krieger LLP, summarizing the relevant 2005 case law is also available and can be sent to Commissioners if requested.

### RECOMMENDATION

Staff recommends that the Commission:

1. Adopt the attached resolution adopting "Local Guidelines for Implementing the California Environmental Quality Act (2006)."

Respectfully submitted,

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Joyce Crosthwaite

Attachments:

1. Resolution

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**RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION  
OF ORANGE COUNTY, CALIFORNIA  
AMENDING AND ADOPTING LOCAL GUIDELINES FOR IMPLEMENTING THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT  
(PUB. RESOURCES CODE §§ 21000 ET SEQ.)**

**July 12, 2006**

On motion of Commissioner \_\_\_\_\_, duly seconded and carried, the following resolution was adopted:

WHEREAS, the California Legislature has amended the California Environmental Quality Act ("CEQA") (Pub. Resources Code §§ 21000 et seq.) and the State CEQA Guidelines (Cal. Code of Regs, tit. 14, §§ 15000 et seq.) and the California courts have interpreted specific provisions of CEQA;

WHEREAS, Section 21082 of CEQA requires all public agencies to adopt objectives, criteria and procedures for the evaluation of public and private projects undertaken or approved by such public agencies, and the preparation, if required, of environmental impact reports and negative declarations in connection with that evaluation; and

WHEREAS, the Orange County Local Agency Formation Commission ("Commission") must revise its local guidelines for implementing CEQA to make them consistent with the current provisions and interpretations of CEQA;

NOW, THEREFORE, the Orange County Local Agency Formation Commission ("Commission") does hereby resolve as follows:

Section 1. The Commission hereby adopts "Local Guidelines for Implementing the California Environmental Quality Act (2006 Revision)," a copy of which is on file at the offices of the Commission and is available for inspection by the public.

